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cession which, if human nature generally demands it, does not on that account become just in principle, is used as pretext for reckless assertion of a new morality, which neither instinct nor reason can justify. Marriage may have stooped to give appearance of decency to what is base; the reason was that a greater interest was at stake. If it was supposed that baseness could be forgotten when withdrawn from sight, the mistake was grievous: but is it not as grievous to suppose that to disclose it is to change its nature? Baseness will not change to honor in obedience to proclamation, however ingenuous such proclamation may be.

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KINGHAM, CHIPPING NORTON.

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### POLITICAL SCIENCE AND ETHICS.

Systematic writers on political science and ethics have with rare exceptions recognized a more or less close relationship between the two. The degree of the *rapprochement* thus recognized usually depends upon the view of the writer as to whether the State is a jural or moral entity or a combination of both. The ancient writers with few exceptions accorded to ethics a conspicuous if not a predominant place in their treatises on politics; indeed, the relation as it often appears in their descriptions is one of identification and consequently of confusion.

In his treatise on the "Republic," Plato combined both ethical and political theory, conceived ethics and politics to be in close connection, and even employed "violent metaphors to exaggerate the intimacy."<sup>1</sup> To him the end of the State was virtue, and this teleological idea so dominated his method as to lead him to completely subordinate his political science to his conception of morals.<sup>2</sup> Indeed, politics in his system of thought was merely a branch of ethics.

Aristotle, the most eminent of ancient writers on politics,

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<sup>1</sup> Grote's "Plato," Vol. I, p. 166; Wundt, "Ethics" (tr. by Washburn), pp. 10-17.

<sup>2</sup> Compare Dunning, "Political Theories, Ancient and Medieval," p. 57.

likewise conceived the aim of political science (which he called the master science) to be the determination of the highest good or happiness of man.<sup>3</sup> The State exists, he said, for a good life, and without virtue it has no true existence.<sup>4</sup> The true statesman, he argued, must study the nature of virtue,<sup>5</sup> and for virtue, habits and teaching are requisite, and these should be provided for by the State.<sup>6</sup> Politics, the main ethical science, he subdivided into two sections, that which treats of the moral action of the individual and that which treats of the State. The former is ethics; the latter, politics proper or the doctrine of the State.<sup>7</sup> In short, he seemed to regard ethics as a part of general politics.<sup>8</sup> But unlike Plato, whose political and ethical conceptions were blended and confused, Aristotle treated ethical and political theory as separate subjects, though adjoining and partially overlapping each other.<sup>9</sup> He was therefore the first writer to create an independent science of politics.<sup>10</sup> It should be remarked, however, that the separation was rather the result of Aristotle's rigid application of the analytical method of treatment than of any conviction of the independence of each science, for, on the contrary, he never denied the intimate connection, if not the interdependence, of each upon the other. In short, the differentiation was rather an incident of his method than an essential of his system.<sup>11</sup>

<sup>3</sup> "Ethics," Bk. I, chs. 2, 4.

<sup>4</sup> "Politics" (Jowett), p. lxix.

<sup>5</sup> "Ethics," III, I, 1.

<sup>6</sup> *Ibid.*, X, IX, 8.

<sup>7</sup> Zeller, "Aristotle and the Earlier Peripatetics," Vol. I, p. 186; Vol. II, p. 136.

<sup>8</sup> Grant, "The Ethics of Aristotle," Vol. I, p. 410. For a further lucid discussion of Aristotle's conception of the relation of ethics to politics, see Janet, "Histoire de la Science Politique dans ses Rapport avec la morale," Vol. I, p. 103 *et seq.* See also Willoughby, "Political Theories of the Ancient World," p. 146 *et seq.* Wundt declares that with Aristotle politics was the final stage of ethics. "Ethics" (tr. by Washburn), p. 18.

<sup>9</sup> Grote, *op cit.*, Vol. I, p. 166.

<sup>10</sup> Grant, *op cit.*, Vol. I, p. 410. "Not only," says Grant, speaking of Aristotle's method of treatment, "is a reaction thus made against the system of Plato, but also, by the whole treatment which Aristotle gives his subject, ethics is virtually and forever separated from politics."

<sup>11</sup> Compare Dunning, *op cit.*, pp. 51, 53. Zeller, in commenting on Vol. XVII.—No. 2.

Machiavelli was the first political writer of note to deny the existence of all connection between ethics and the theory or practice of politics. His political philosophy as embodied in "The Prince" and less fully in "The Discourses" may be summed up in the aphorism, "the end justifies the means," in all political affairs.

With him hypocrisy, bad faith, deception, falsehood, duplicity, violence, even murder are legitimate means for accomplishing political ends. The customary rules of private morality which govern individuals in their relations with one another Machiavelli did not seek to overthrow, but in his mind they had no application to princes; and what was virtue in the one case might be vice in the other. "Let the prince," he said, "look to the preservation of the State; the means will always be deemed honorable and will receive general approbation."<sup>12</sup> Where the safety and liberty of the State is in danger, he argued, considerations of justice, mercy and honor must be disregarded, if necessary, to maintain its life and independence.<sup>13</sup> Contrary to the policy of his precursors in the field of political science, he sought to delimit the spheres of ethics and politics by rigid lines, not only for purposes of treatment but for purposes of conduct and living.<sup>14</sup> In thus pleading for the study of the phenomena of politics as absolutely isolated from ethics Machiavelli's philosophy was unmoral rather than immoral, but his doctrine of political practice was purely immoral and wicked. In the former respect he was more nearly right especially from the scientific point of view; and his divorce of

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Aristotle's conception of the relation of politics to ethics, observes that they may be considered as related to one another as the pure and the applied part of one and the same science. Aristotle's subdivision of politics in the wider sense into ethics and politics proper, Zeller regards as admissible, since according to Aristotle the means by which the knowledge of virtue is acquired (a problem of ethics) are to be found only in the life of the community, upon which his *ethics* does not further enter, his description corresponds to the actual relation in which his treatises on *Ethics* and *Politics* stand to one another. "Aristotle and the Earlier Peripatetics," Vol. II, p. 136, note 3.

<sup>12</sup> "The Prince," ch. 15.

<sup>13</sup> "The Discourses," III, 41.

<sup>14</sup> Janet, "Histoire de la Science Politique," etc., Vol. I, p. 75.

the science of politics from the science of ethics did much to clarify the problems of politics and to "check the tendency to make of political science a mere congeries of moral and religious precepts."<sup>15</sup>

Of later views may be mentioned those of Spinoza, Hegel and Kant. Spinoza, following Plato, treated politics as a part of ethics and based his political doctrines on ethical principles.<sup>16</sup> Hegel went to the extreme in emphasizing the moral nature of the State in opposition to its juridical nature. He conceived the State to be simply the objective realization of the moral law, and morality (*Sittlichkeit*) to be its vital principle and its end.<sup>17</sup> In any such view of the nature of the State ethics must inevitably occupy a predominant position. Kant rather inclined to the opposite extreme in treating the State not as an ethical entity but as a purely juridical establishment devoid of moral bonds.<sup>18</sup> But he did not overlook the influence of moral principles upon political theory and practice. "Politics," he said, "may be regarded as saying 'be wise (i. e., prudent) as serpents; ' morals adds as a limiting condition, 'and harmless (i. e. guileless) as doves.'"<sup>19</sup> Kant's view, in its outward appearances at least, is colored by the juridical method of treatment common among German writers of the juristic school. To them the State is simply an institution of law, and all other aspects which it may present and all other factors which may enter into its consideration, moral, social or otherwise, can be safely ignored in political treatises. Political relations to them are always "öffentliche rechtlichen verhältnissen," political conceptions are always "rechtsbegriffe," and the organization and functions of the State are always described in terms of their "rechtliche Natur."<sup>20</sup>

Other German writers, less enthralled by the juristic method

<sup>15</sup> Dunning, "Political Theories, Ancient and Medieval," p. 302.

<sup>16</sup> Duff, "Ethical and Political Philosophy of Spinoza," pp. 3, 11.

<sup>17</sup> "Philosophy of History" (tr. by Sibree), pp. 40, 54; tr. by Morris, p. 79.

<sup>18</sup> "Philosophy of Law" (tr. by Hastie), secs. 44-48.

<sup>19</sup> "Principles of Politics" (tr. by Hastie), p. 120.

<sup>20</sup> Compare Deslandres, "La Crise de la Science Politique et le Problem de la Methode," ch. III.

of treatment, have not only recognized the intimate relation between morals and political science but have accorded to ethics a conspicuous place in their political treatises. Both von Mohl and von Holtzendorff, two of the most eminent of European public lawyers and political scientists, treated the theory of political morality (*Staats sittenlehre*) as one of the "political sciences."<sup>21</sup> While the noted Bluntschli gave strong emphasis to the view that politics had a moral content (*sittlicher Gehalt*) and that the State had a moral nature (*sittlicher Wesen*) and was bound by moral duties,<sup>22</sup> von Mohl's action was based on the view that the exposition of the relations of the State from the standpoint of morality was an indispensable part of any perfectly scientific treatise on the nature of the State. The constitution was or should be, he said, not simply an objective realization of justice and wisdom but also of pure morality, and should reflect the entire moral content of the nation.<sup>23</sup> In his encyclopedia of the political sciences he devoted a lengthy chapter to the subject of *Staats sittenlehre*, enumerating with fullness and discussing with detail the moral duties and obligations of the State and of its subjects and of the operation of the moral law in international intercourse. He has sometimes been criticised for subordinating politics to morality according to the Platonic-Hegelian system,<sup>24</sup> but a careful reading of his treatise does not leave this impression. Bluntschli, unlike von Mohl and von Holtzendorff, did not go to the length of classing political ethics as one of the political sciences, because, as he said, the fundamental principles of ethics could not be explained out of the State. To him there was a scientific distinction between *politik* and *ethik* which should be observed in treatises on either subject, though he fully recognized the existence of a close relationship between them.<sup>25</sup>

<sup>21</sup> Von Mohl, "Encyklopädie der Staatswissenschaften," pp. 59, 504; also his "Geschichte und Litteratur der Staatswissenschaften," Vol. I, p. 126. Von Holtzendorff, "Principien der Politik," p. 6, and Treitschke, "Politik," p. 87, *et seq.*

<sup>22</sup> "Theory of the State," p. 2.

<sup>23</sup> "Encyklopädie," pp. 63, note 8; 517, 518.

<sup>24</sup> Ruemelin, "Politics and the Moral Law," p. lxxv (tr. by Tombo).

<sup>25</sup> "Lehre vom Modernen Staat," Vol. III, p. 7.

The French conception of the intimate relation between politics and morality is indicated by the connection in which the terms are frequently used in their political treatises. Thus they often speak of the *sciences morales et politiques* as though they were inseparable and interdependent. Paul Janet, in his brilliant "Histoire de la Science Politique dans ses Rapport avec la Morale" (2 vols., Paris, 1884), gives great weight, as may be inferred from the title of his treatise, to the moral side of politics, and argues that it is "useless and unnecessary to separate two sciences which are naturally united by a thousand bonds."<sup>26</sup> He conceives the State to be an institution impossible without morals and virtue, possessing moral duties and rights and having a moral end. Politics, theoretical and practical, he insists is permeated through and through with a moral idea.<sup>27</sup> The true conception of the relationship, as Janet well observes, is not that of absolute independence according to the Machiavellian philosophy nor that which, according to the Platonic idea, sacrifices the one to the other, but an intermediate view which recognizes a moral basis for political theory and a moral element in political practice.<sup>28</sup>

The English political philosophers, no less than those of the continent, have uniformly recognized the close relationship between ethics and politics. Hobbes seems to have virtually identified the two,<sup>29</sup> and the principles of morality entered into Bentham's treatise on legislation as its dominant feature.<sup>30</sup>

<sup>26</sup> Vol. I, p. 75. See also Funck-Brentano, "La Politique," pp. 7-23.

<sup>27</sup> "L'état n'est pas un simple mécanisme, composé de certains ressorts, pour produire certains effets; il se compose de personnes morales avec lesquelles ou ne peut pas jouer capricieusement, comme avec les touches d'un instrument; il est lui-même une personne morale, ayant un fin morale, des devoirs et des droits et s'il lui est permis de atteindre cette destinée de diverses manières, il ne lui est jamais permis de l'oublier," Vol. I, pp. 90, 91.

<sup>28</sup> "The bond of connection between politics and morals," says Janet, "is the idea of right (*droit*). The object of politics is not, as Plato maintained, the establishment by force of a reign of virtue, but the protection of right. The State rests on virtue but virtue is not its object. Virtue is a quality which belongs to the citizen," *op. cit.*, p. 99.

<sup>29</sup> See "Leviathan," p. 4.

<sup>30</sup> "Principles of Morals and Legislation," especially ch. 17.

Among recent political writers, Sir James McIntosh, Sir George Cornwall Lewis, Sir Frederick Pollock and W. S. Lilly classify political science as one of the moral sciences or as a branch of ethics. Professor J. S. Mackenzie conceives political science and ethics to be closely related "departments" of a larger subject which corresponds in a rough way to Hegel's "philosophy of right" (including philosophy of law, of art and of religion).<sup>31</sup> Sidgwick, one of the most eminent of English writers on politics and ethics, regards the State as "an essentially moral sphere" from which it is impossible to banish moral considerations,<sup>32</sup> and most of the other English commentators hold essentially a similar view.<sup>33</sup>

Among the older and abler American writers on political science, Lieber and Woolsey both gave great weight to ethics in their treatises on the State. Lieber, a Prussian by birth, but long a distinguished citizen, publicist and scholar of the United States, deeply impressed with the moral element of politics, wrote an exhaustive treatise in two volumes on political ethics, which was first published in 1838. After an elaborate discussion of the field of ethics and the nature of the State, he proceeded to lay down the rules and principles of morality which should govern States in their intercourse with one another and their relations with the individuals who compose their citizenship. He conceived the State, not like Kant and the other

<sup>31</sup> "Introduction to Social Philosophy," p. 47; see also Morris, "Hegel's Philosophy of History," pp. 1-3.

<sup>32</sup> "Elements of Politics," pp. 94, 95. For Sidgwick's view of the relation of ethics to other sciences see his "Method of Ethics."

<sup>33</sup> McKechnie, in his "The State and the Individual" (pp. 96, 98, 377), asserts that the State is nothing if not moral; that it partakes of necessity in that same moral nature of its citizens, to which it owes its origin, and that its whole fabric rests on moral considerations. Amos, in his "Science of Politics" (p. 447), says, "There is no serious thinker at the present day who, if pointedly questioned, would deny the applicability of the words, right, wrong, duty, conscience, morality and immorality to the conduct of States and governments as well as to that of individual men and women." Cunningham, in his "Politics and Economics" (p. 141), declares that the action of the State is distinctly moral in character and that its chief business is that of enforcing morality. See also Sir J. F. Stephen, "Liberty, Fraternity and Equality," ch. 4, and T. H. Green, "Lectures on the Principles of Political Obligation."

German legists as a purely juridical establishment, nor like Hegel as a moral entity, but as both a jural society and a society of moral being<sup>34</sup> created for a distinctly moral end.<sup>35</sup> Lieber's editor and, in a way, his successor in American political thought, Theodore Dwight Woolsey, was equally imbued with the moral idea of the State and insisted upon the treatment of political ethics and political science as coördinate and interdependent sciences. Political ethics he defined as that branch of moral science which treats of the duties and obligations growing out of the relations of men in the State.<sup>36</sup> In his notable work on "Political Science" he gave a conspicuous place to the subject of political ethics and, following both Lieber and von Mohl, discussed at length the moral virtues that go to make good citizenship, including the moral duties and obligations incumbent upon the State in its dealings with its citizens, with foreign States and with their citizens and subjects.<sup>37</sup>

From this review of scientific thought it is clear that there is a practical unanimity of opinion concerning the existence of a mutual *rapprochement* between politics and ethics; that neither stands isolated and disconnected from the other, but that they are like the closely interwoven branches of a common stem.<sup>38</sup> Both are concerned with the good of men as citizens of the State, and there is much justification for the view held by some writers that that part of politics which is concerned with the wellbeing of society may properly be classed as a branch of ethics, as the term is understood in its wider sense.<sup>39</sup>

Perhaps the better view is not to regard ethics as a branch of politics or politics as a branch of ethics. Although closely related, the two domains are capable of an exact differentiation and each conserves its own force and dignity. Neither can be subsumed under the other like species and genera. Yet ethics, occupying a position well without the jural sphere, is able to

<sup>34</sup> "Political Ethics," Vol. I, p. 162.

<sup>35</sup> *Ibid.*, p. 81.

<sup>36</sup> "Political Science," Vol. I, p. 382.

<sup>37</sup> *Ibid.*, Vol. I, ch. 9.

<sup>38</sup> Ruemelin, "Politics and the Moral Law," p. 61.

<sup>39</sup> Compare Sidgwick, "History of Ethics," p. 3.

exert a powerful influence upon politics. The maintenance of the lines of differentiation, but withal the promotion of close and, consistent relations between the two spheres, should be a special task of philosophy.

States, like individuals, have moral natures, and in their multiform relations and activities should consider themselves bound by the rules of the moral law, which is nothing more than the sum total of the doctrines of duty and virtue. In the course of their life they cannot safely ignore the ethical considerations which lie at the basis of all their obligations and responsibilities. Indeed, we are coming more and more to accept the view that the State rather than the church is the proper organ for the fulfillment of the moral ideas of mankind.<sup>40</sup> In practice the most highly civilized States now act on this principle, and every good constitution aims to be the objective realization of the moral concensus of the nation. In method and in subject matter law and ethics coincide.<sup>41</sup> In early times they were not conceived of as distinct in any respect. Ethics was treated as a part of the law of nature or natural equity, and when the former commanded what the latter forbade the individual was under a moral obligation to disobey the positive law. Long after the distinction was clearly recognized administrative officials found it convenient to evade the positive law by appealing to the law of nature, which they proceeded to administer.<sup>42</sup> By some writers law is conceived of as simply regulated morality, that is, as the realization of the moral ends of the State, and that the whole purpose of the criminal code is to enforce the morality of the State. "In every sentence of the penal code," says Wundt, "there speaks the voice of an objective moral conscience."<sup>43</sup>

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<sup>40</sup> "We appear in all legislation," says H. D. Traill, "to be more and more unreservedly accepting the principle that the physical wellbeing and the mental and moral training of the community are matters within the special care of the State." "Central Government," p. 16.

<sup>41</sup> Palmer, "Field of Ethics," p. 40.

<sup>42</sup> Holland, "Elements of Jurisprudence," p. 37.

<sup>43</sup> "The Facts of the Moral Life" (tr. by Gulliver and Titchener), p.

This conformity of the legal command to the moral conscience constitutes the most effective sanction of the law. The commands of the State cannot be effectively enforced when contrary to the common consciousness of right and wrong, that is to say, the power of the State is limited by the moral opinion of its citizens. The complaint of the old Roman poet, *quid leges sine moribus*, is as applicable to-day as when written two thousand years ago. In the interpretation of law we find the principle universally recognized that the will embodied in the law shall not be construed as being in opposition to the general norms of morality.<sup>44</sup>

The whole problem of government, both as regards its internal and external relations, is largely one of political ethics. The acquisition of new territorial domains, the desire for external power, the government of subject peoples, the regulation of immigration, the liquidation of public debts, the maintenance of monetary systems, the care of the poor, the treatment of bankrupts, the punishment of criminals, the protection of vested rights, the maintenance of the public health and safety, and many other governmental functions involve fundamental moral questions such as cannot be ignored if the Biblical truth

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277. Hegel, Krause and other writers identified law and morality. Wundt, "Principles of Morality" (tr. by Washburn), p. 160.

"Compare Wundt, "Principles of Morality," (tr. by Washburn), p. 177. This view is not inconsistent with that of Hibben, "Relation of Ethics to Jurisprudence" (INTERNATIONAL JOURNAL OF ETHICS, Vol. IV, p. 138), who says, "In the interpretation of law ethics has no place. What is written must be interpreted as it reads," for the will of the legislature can legally be no other than the voice of those whom it represents. While Hibben maintains that no ethical factors enter into the interpretation, he admits that they may nevertheless "modify the original data of the problem." See also Jellinek, "Die Social Ethische Bedeutung von Recht, Unrecht und Straf;" and Ihering, "Zweck im Recht," I, 434 *et seq.* "Law," says Ruemelin, "may be compared to the great dikes which transform lands wrested from the sea or exposed to its floods into a firm and lasting position; political science builds, protects and widens these erections . . . therefore politics, law and morality serve but one purpose, the progress of mankind," "Politics and the Moral Law," p. 65. "Ethics," says Austin, "consists of two departments: the one affects to determine the tests of positive law, and is styled the science of legislation, or briefly, legislation; the other affects to determine the test of positive morality, and is styled the science of morals, or briefly, morals!" "Jurisprudence," p. 61.

that righteousness exalteth a nation has any meaning. The maxim *salus populi suprema lex esto* has sometimes been interpreted as a justification for the sacrifice of moral principles to those of public expediency; but it will rarely, if ever happen that the supposed law of political necessity will require the wanton disregard of conceded moral standards. The principle of justice no less than that of political expediency should be a rule of political life and the above maxim may well be interpreted in connection with another of scarcely less fundamental significance: *Fiat justitia pereat mundus*.

In its relations with other sovereign communities the State, no less than individuals, should be governed by the injunctions of the decalogue. The territorial expansion of the State, the extension of commercial advantages, the observance of treaty obligations, intervention in behalf of oppressed peoples and many other questions of international politics are at bottom also questions of international morality. Want of frankness and comity, the practice of deceit, bad faith and duplicity, disregard of international obligations are all moral vices no less reprehensible because committed by the State than by individuals. Thus the bases of all State action, whether viewed from the standpoint of domestic policy or international conduct, are the precepts of morality, which should serve as guiding principles. All the relations with which politics has to do, says an acute writer, lie within the domain of ethics. Duty, loyalty, honesty, charity—these are the forces that underlie and support the State, that give to law its most effective sanction, that cross and modify the egoistic struggle for gain.<sup>45</sup> There is no small amount of truth in the observation of Lord Acton that the marrow of civilized history is ethical, not metaphysical, and that political differences essentially depend on disagreement in moral principles.

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<sup>45</sup> Monroe Smith, "The Scope of Political Science," *Political Science Quarterly*, Vol. I, p. 4. Sir James Fitzjames Stephen, in his "Liberty, Fraternity and Equality," goes to the length of arguing that not only must governments have a moral basis, but that the connection between morals and religion is so intimate that this implies a religious basis as well. P. 58.